

AN ORDINANCE | 99681

**AUTHORIZING A TEN (10) YEAR LICENSE AGREEMENT WITH TIME WARNER CABLE, INC. TO USE CITY OWNED PROPERTY WITHIN NCB 913, FOR THE PURPOSE OF INSTALLING A FOUR (4) INCH CONDUIT FOR A COMMUNICATION CABLE TO SERVE THE COMFORT INN SUITES ALAMO/RIVERWALK, LOCATED AT 120 CAMARON STREET, AND THE SAN FERNANDO COMMUNITY CENTRE IN THE 200 BLOCK OF WEST COMMERCE STREET, FOR THE TOTAL CONSIDERATION OF \$5,000.00.**

\* \* \* \* \*

**WHEREAS, Time Warner Cable, Inc.,** as Petitioner, has requested a license to use City-owned property within New City Block 913 to install a four (4) inch conduit for a communication cable to serve the Comfort Inn Suites Alamo/Riverwalk located at 120 Camaron Street and the San Fernando Community Centre in the 200 block of West Commerce Street; and

**WHEREAS,** the City is agreeable to granting a License Agreement for a term of ten (10) years for a total consideration ("License Fee") of \$5,000.00; and

**WHEREAS,** Petitioner's request has been circulated through all interested City departments and utility agencies involved and Petitioner has agreed to the conditions and/or restrictions imposed by the Departments of Asset Management, Public Works, Planning, the San Antonio Water System and City Public Service through a Letter Agreement dated August 9, 2004; **NOW THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** A License Agreement is hereby authorized between the City of San Antonio and **Time Warner Cable, Inc.,** as Licensee, for a term of ten (10) years to use City-owned property within New City Block 913 to install a four (4) inch conduit for a communication cable at the location shown on **Exhibit "A"** attached hereto and incorporated herein verbatim for all purposes, in order to serve the Comfort Inn Suites Alamo/Riverwalk, located at 120 Camaron Street, and the San Fernando Community Centre in the 200 block of West Commerce Street, for the total consideration ("License Fee") of \$5,000.00. The City Manager or City Manager's designee is hereby authorized to execute a License Agreement, a copy of which, signed on behalf of the Licensee, is attached hereto as **Exhibit "B"** and incorporated herein verbatim for all purposes.

**SECTION 2.** The grant of the License is contingent on Licensee's compliance with the conditions and/or restrictions set forth in a Letter Agreement, a copy of which is attached hereto as **Exhibit "C"** attached hereto and incorporated herein verbatim for all purposes.

**SECTION 3.** The License Fee shall be deposited into Fund No. 11-000 entitled "General Fund", Index Code No. 012732, entitled "License Agreements – Use of Right Of Way."

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and fund numbers as necessary to carry out the purpose of this Ordinance

**SECTION 5.** This ordinance shall take effect on the 19th day of September, 2004.

**PASSED AND APPROVED** this 9th day of September, 2004.




M A Y O R  
EDWARD L. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
for City Attorney

# Agenda Voting Results

**Name:** 15. 99681

**Date:** 09/09/04

**Time:** 01:52:04 PM

**Vote Type:** Multiple selection

**Description:** 15. An Ordinance authorizing a ten (10) year License Agreement with Time Warner Cable, Inc. to use City owned property within NCB 913, for the purpose of installing a four (4) inch conduit for a communication cable to serve the Comfort Inn Suites Alamo/Riverwalk, located at 120 Camaron Street, and the San Fernando Community Centre in the 200 block of West Commerce Street, for the total consideration of \$5,000.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9				x
CHRISTOPHER "CHIP" HAAS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		